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13 Attorneys for Plaintiff

15 **UNITED STATES DISTRICT COURT**
16 **DISTRICT OF NEVADA**

18 ERIC STEINMETZ, and all similarly situated
19 individuals,

20 Plaintiff,

21 v.

22 BRINKER INTERNATIONAL, INC. d/b/a
23 CHILI'S GRILL & BAR,

24 Defendant.

Case No. 2:18-cv-00981-JCM-PAL

**STIPULATION AND ORDER TO
EXTEND TIME TO RESPOND TO
DEFENDANT'S MOTION TO DISMISS
COMPLAINT**

(First Request)

1 Plaintiff Eric L. Steinmetz (“Plaintiff”) and Defendant Brinker International, Inc. d/b/a
2 Chili’s Grill & Bar (“Brinker”) (together, the “Parties”) hereby stipulate and agree, subject to this
3 Court’s approval, that Plaintiff shall have an additional fourteen (14) days to file and serve a
4 response to Brinker’s Motion to Dismiss the Complaint. Brinker filed its motion on August 9,
5 2018, and Plaintiff’s response is presently due on August 23, 2018.

6 The Parties request this additional time to continue to address the appropriate venue for
7 this action. For context, three other class actions have been filed against Brinker alleging similar
8 facts and claims in federal courts in California and Florida, and counsel and the parties in each of
9 those matters are engaged in ongoing discussions regarding the appropriate venue for the actions
10 and possible motions for transfer pursuant to 28 U.S.C. § 1404. To accommodate these ongoing
11 discussions, the Parties request a 14-day extension of time for Plaintiff to respond to the motion to
12 dismiss, until and including **September 6, 2018**. This additional time will further judicial
13 economy by likely avoiding unnecessary motion practice in this jurisdiction.

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1 This is the Parties' first request to extend the time for Plaintiff to respond to Brinker's
2 motion to dismiss. The stipulation is made in good faith, is not interposed for delay, and is not
3 filed for an improper purpose.

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5 DATED this 22nd day of August, 2018.

6 PISANELLI BICE PLLC

7 By: /s/ Debra L. Spinelli
8 Debra L. Spinelli, Esq., Bar No. 9695
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15 Attorneys for Defendant
16 Brinker International, Inc. d/b/a Chili's Grill &
Bar

DATED this 22nd day of August, 2018.

KNEPPER & CLARK LLC

By: /s/ Miles N. Clark D:
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Attorneys for Plaintiff Eric L. Steinmetz

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19 **ORDER**

20 IT IS SO ORDERED.

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23 UNITED STATES DISTRICT COURT JUDGE

24 DATED: August 24, 2018
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